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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

vs.

FRANCISCO DUARTE
FIGUEROA,

Defendant.

Case No.: 4:16-mj-07126

Motion For Detention Hearing

The United States moves for pretrial detention of Defendant, pursuant to 18 U.S.C. § 3142(e) and (f).

1. Eligibility of Case. This case is eligible for a detention order because the case involves:

☐ Crime of violence (as defined in 18 U.S.C. § 3156(a)(4) which includes any felony under Chapter 109A, 110 and 117),

☐ Maximum penalty of life imprisonment or death,

1 ☒ Drug offense with maximum penalty of 10 years or more,

2 ☐ Felony, with two prior convictions in above categories.

3
4 ☐ Felony that involves a minor victim or that involves the possession or
5 use of a firearm or destructive device (as those terms are defined in § 921), or any
6 other dangerous weapon, or involves a failure to register under 18 U.S.C. § 2250,
7

8 ☒ Serious risk Defendant will flee, or

9
10 ☒ Serious risk obstruction of justice.

11 2. Reason for Detention. The Court should detain Defendant because
12 there is no condition or combination of conditions which will reasonably assure:
13

14 ☒ Defendant's appearance as required, or

15
16 ☒ Safety of any other person and the community.

17 3. Rebuttable Presumption. The United States will invoke the rebuttable
18 presumption against Defendant under Section 3142(e). The presumption applies
19 because there is probable cause to believe Defendant committed:
20

21 ☒ Drug offense with maximum penalty of 10 years or more,

22
23 ☐ 18 U.S.C. § 924(c) firearms offense, or

24
25 ☐ Kidnaping, sexual crimes, or child pornography offenses.

26 4. Time for Detention Hearing. The United States requests the Court
27 conduct the detention hearing:
28

☐ At the first appearance, or

☐ After a continuance of three days.

5. Other Matters.

☐

Dated: August 17, 2016.

MICHAEL C. ORMSBY
United States Attorney

s/ Stephanie Van Marter

Stephanie Van Marter
Assistant United States Attorney

CERTIFICATE OF SERVICE

I hereby certify that on August 17, 2016, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

s/ Stephanie Van Marter

Stephanie Van Marter
Assistant United States Attorney